

141—2.4(2C,70A) Whistleblower reprisal complaints.

2.4(1) *State employees.* Notwithstanding the limitations of subrule 2.6(1), the ombudsman may investigate a complaint filed by an employee of a state employment system who alleges that an adverse employment action has been taken against the employee as provided in Iowa Code section 70A.28(2). This provision does not apply to employees of those entities excluded from the definition of “agency” under Iowa Code section 2C.1(2). This provision applies only to employees who are non-merit employees and employees not covered by a collective bargaining agreement. Complaints must be made to the ombudsman within 30 calendar days following the effective date of the adverse employment action.

2.4(2) *Investigation.* If an investigation of the employee’s complaint occurs, the ombudsman shall issue findings to the employee and the agency in an expeditious manner.

2.4(3) *Investigative findings.* If the employee files an appeal of the adverse employment action with the public employment relations board pursuant to Iowa Code section 70A.28(6), the written findings issued by the ombudsman may be introduced as evidence before the public employment relations board. [Adopted and published 10/26/16 pursuant to Iowa Code section 2C.9(5), effective 11/1/16; Adopted and published 6/2/21 pursuant to Iowa Code section 2C.9(5), effective 6/2/21]